

COURTESY COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VIRGINIA MILANES, *et al.*,

Plaintiffs,

v.

MICHAEL CHERTOFF, *et al.*,

Defendants.

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED

ECF Case

8/7/08

08 Civ. 2354 (LMM) (KNF)

MEMO ENDORSED

DEFENDANTS' REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT
OF THEIR MOTION TO DISMISS IN PART AND REMAND IN PART,
OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT

For the reasons set forth on the record on 8/7/08, plaintiffs' motions for a preliminary injunction and for class certification are denied. Defendants' motion for dismissal under Fed.R. Civ. P. 12(b)(6) is granted as to all claims in the complaint (with the exception of the continued pursuit by the named plaintiffs and putative class members who have not yet been naturalized, of their naturalization proceedings). Defendants' motion for remand is denied and defendants' motion for summary judgment (not reached) is denied as moot. So ordered.

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